

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Revenue Department - Sri Sajja Mallikarjunam, formerly Mandal Revenue Inspector, K.V.B.Puram, Chittoor District and presently working as Senior Assistant, O/o the R.D.O., Chittoor - Trapped on 29-03-2004 - Convicted by the Spl. Judge for SPE & ACB Cases, Nellore in C.C.No.18/2005 on 13-10-2008 - Punishment of dismissal from Govt. Service - Imposed - Orders - Issued.

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REVENUE (VIGILANCE-VII) DEPARTMENT

G.O.Ms.No. 389

Dated:30-04-2010.

Read the following:-

- 1) From the D.G., A.C.B., Hyderabad Lr.No.88/RCT-TCT/04, Dated:25-08-2004.
- 2) G.O.Ms.No.506, Revenue (Vig.VII) Dept., Dt:16-04-2005.
- 3) From the D.G., A.C.B., Hyderabad Lr.No.88/RCT-TCT/04, Dated:29-10-2008.
- 4) Orders Dt:04-11-2008 of the Hon'ble High Court of A.P. in Criminal AMP No.2059 of 2008 in CRLA No.1321/2008.
- 5) Representation Dt:Nil of Sri S.Mallikarjunam, formerly Mandal Revenue Inspector, K.V.B.Puram, Chittoor District.
- 6) Govt.Memo.No.73373/Vig.VII(1)/2006-2, Dated:28-02-2009.
- 7) Common orders of the Hon'ble High Court of A.P., Dt.17-11-2009 in W.P.Nos.8000 of 2009 and batch cases.

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ORDER:

Whereas, it was brought to the notice of the Government by the Director General, Anti-Corruption Bureau, Hyderabad that Sri Sajja Mallikarjunam, Mandal Revenue Inspector, Office of the Mandal Revenue Officer, K.V.B.Puram, Chittoor District was trapped on 29-03-2004 when he demanded and accepted an amount of Rs.2,500/- as bribe, from the complainant to process and issue of Pattadar Pass Books, to him. In the G.O.2nd read above, orders were issued to prosecute Sri S.Mallikarjunam, Mandal Revenue Inspector, Office of the Mandal Revenue Officer, K.V.B.Puram, Chittoor District and accordingly, he was prosecuted in a court of Law. In the Letter 3rd read above, the Director General, Anti- Corruption Bureau, Hyderabad has forwarded a copy of the judgment Dt. 13-10-2008 of the Special Judge for S.P.E.& A.C.B. Cases, Nellore in C.C. No.18/2005. In the above said Judgment dated:13-10-2008, the Special Judge **found** the Accused Sri Sajja Mallikarjunam, Mandal Revenue Inspector, Office of the Mandal Revenue Officer, K.V.B.Puram, Chittoor District **guilty** of the offences punishable under sections 7 & 13(2) read-with section 13(1)(d) of the Prevention of Corruption Act, 1988 and **convicted** him under section 248(2) of the Criminal Procedure Code; and the Accused Officer was sentenced to undergo Rigorous Imprisonment for one (1) year and to pay a fine of Rs.1,000/- (Rupees one thousand only), in default, to suffer Simple Imprisonment for two (2) months for the offences punishable under section 7 of the Prevention of Corruption Act, 1988. The A.O. shall also undergo Rigorous Imprisonment for a period of two (2) years and to pay a fine of Rs.2,000/- (Rupees two thousand only), in default, to suffer Simple Imprisonment for four (4) months for the offences punishable under section 13(2) read-with section 13 (1)(d) of the Prevention of Corruption Act, 1988. Both the sentences of imprisonment of the Accused Officer shall run concurrently.

Aggrieved by the above judgment, the A.O. has approached the Hon'ble High Court; and the Hon'ble High Court in the ref. 4th read above has suspended the imprisonment imposed by the trial court against the A.O. In In the ref. 5th read above, the A.O. has filed a petition before the Govt.

P.T.O.

with a request to continue him in service pending disposal of the appeal filed by him in the Hon'ble High Court of A.P.

Govt. after careful examination of the matter, have issued orders to continue Sri Sajja Mallikarjunam, Mandal Revenue Inspector, Office of the Mandal Revenue Officer, K.V.B.Puram, Chittoor District in service, pending disposal of Crl.A.M.P.No. 2059/2008 in Crl.Appeal No.1321/2008, in the Hon'ble High Court .. vide Memo. 6th read above.

In the ref. 7th read above, the Hon'ble A.P.High Court, in its common orders Dt.17-11-2009 in W.P.No.8000 of 2009 and batch cases, have directed the State/disciplinary authority to review all such cases where the Govt. servants have suffered conviction and even if appeals or revisions against the conviction are pending.

Government have examined the above case in the light of the above Judgment in the ref. 7th read above; and in terms of G.O.Ms.No.2, General Administration (Ser.C) Dept., Dated:04-01-1999 have decided to impose a major penalty of dismissal from the Govt. service on Sri Sajja Mallikarjunam, formerly Mandal Revenue Inspector, Office of the Mandal Revenue Officer, K.V.B.Puram, Chittoor District and presently working as Senior Assistant, O/o the R.D.O., Chittoor, for having found guilty of the charges framed against him under sections 7 and 13(2) read-with section 13(1)(d) of the Prevention of Corruption Act, 1988; duly cancelling the orders issued in the Govt. Memo.6th read above.

Now, therefore, in the light of the judgment delivered by the Hon'ble High Court in the reference 7th read above and in exercise of the powers conferred under clause (x) of Rule 9, read-with sub-rule (1) of Rule 25 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991; read-with G.O.Ms.No.2, G.A. (Services-C) Dept., Dt.04-01-1999, Government of Andhra Pradesh hereby dismiss Sri Sajja Mallikarjunam, formerly Mandal Revenue Inspector, Office of the Mandal Revenue Officer, K.V.B.Puram, Chittoor District and presently working as Senior Assistant, O/o the R.D.O., Chittoor, from Govt. service, with immediate effect.

7. The District Collector, Chittoor/Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad shall take necessary further action accordingly and furnish the compliance report in the matter, to the Government, immediately.

8. Accordingly, the following Notification shall be published in the Andhra Pradesh Gazette;

NOTIFICATION

In exercise of the powers conferred under clause (x) of Rule-9 read-with sub-rule (1) of Rule-25 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 read with G.O.Ms.No.2, General Administration (Services-C) Department, Dated: 04-01-1999, Government of Andhra Pradesh hereby dismiss Sri Sajja Mallikarjunam, formerly Mandal Revenue Inspector, K.V.B.Puram, Chittoor District and presently working as Senior Assistant, O/o the R.D.O., Chittoor, from Government service, with immediate effect.

To
The Commissioner, Printing, Stationery and Stores Purchase,

Chanchalguda, **Hyderabad** (with a request to publish the notification in the Official Gazette of A.P. and furnish **25** copies of the same)
The Collector & District Magistrate, **Chittoor**.
The Chief Commissioner of Land Administration, A.P., **Hyderabad**.
Sri Sajja Mallikarjunam, Mandal Revenue Inspector, K.V.B.Puram,
Chittoor District **and** presently working as Senior Assistant, O/o the
R.D.O., Chittoor, **through** the **District Collector, Chittoor** .. with a
request to obtain and furnish the dated acknowledgement of the
individual to Govt., for taking further action in the matter.

Copy to:

The Accountant General, Andhra Pradesh, **Hyderabad**.
The Director General, Anti-Corruption Bureau, A.P., **Hyderabad**.
The Secretary to Vigilance Commissioner,
A.P. Vigilance Commission, **Hyderabad**.
The District Treasury Officer, Chittoor District at **CHITTOOR**.
Sf/Sc.

// FORWARDED BY ORDER //

SECTION OFFICER

(C.No.73373/Vig.VII(1)/2006)

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Please see the orders in circulation to C.M at Sl.No.4 on page 31 ante.
Accordingly a draft order is submitted below for approval.

(C.No. 73373/Vig.VII(1)/2006)

Revenue (Vig.VII) Dept

Please see the U.O. of Revenue (Vig.VI) Department at page 195 cf, along with true extract of note file in C.No. 28704/Vig.VI(2)/2007 and orders passed in circulation to Hon`ble C.M at page 201 cf.

It is submitted that Sri S. Mallikarjunam, Mandal Revenue Inspector of K.V.B.Puram, Chittoor District name was not included in the list mentioned at para 70 at page 200 cf., who is also continuing in the service even after his conviction by the trial court on the interim orders of Andhra Pradesh High Court in Criminal AMP No. 2069 of 2008 in CRLA No 1321/08.

In view of the above, and orders of Hon`ble C.M at page 201 cf, it is for orders whether the orders of C.M may also implemented in this case.

For orders.

2. *And whereas, it is considered that the conduct of the said Sri S. Mallikarjunam, Mandal Revenue Inspector, K.V.B.Puram, Chittoor District which has led to his conviction on criminal charges are such as to render his further retention in public service undesirable;*